

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:00-00001

WALTER J. SHEETS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On January 20, 2016, the United States of America appeared by Blaire L. Malkin, Assistant United States Attorney, and the defendant, Walter J. Sheets, appeared in person and by his counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Greg Swisher and Chief United States Probation Officer Keith E. Zutaut. The defendant commenced a twenty-one month term of supervised release in this action on February 19, 2015, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on September 15, 2014.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to submit monthly reports for the months of June, July and August 2015; and (2) the defendant failed to notify the probation officer ten days prior to any change in residence inasmuch as the probation officer's last successful home contact with the defendant occurred on July 21, 2015, and thereafter the probation officer was unable to contact him by telephone or through home contact until October 1, 2015, when the defendant called Chief United States Probation Officer Keith Zutaut, at which time he admitted he left the Southern District of West Virginia without permission and was calling from the state of Michigan, near the Canadian border, rendering his whereabouts unknown until his arrest on or about November 4, 2015, in Indiana; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

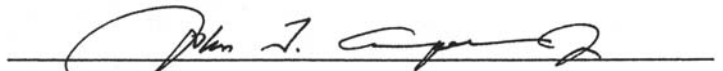
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FOUR (4) MONTHS, to be followed by a term of five (5) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special condition that he spend the entirety of the five months of supervised release in a community confinement center where he shall follow

the rules and regulations of the facility and participate in an alcohol abuse treatment program, AA meetings and engage himself in full-time lawful, gainful employment. If feasible, the defendant shall be transported from his place of incarceration directly to the community confinement center.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: February 1, 2016


John T. Copenhaver, Jr.
United States District Judge